

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANDREW R. MAY, On Behalf of Himself and All
Others Similarly Situated,

Plaintiff,

vs.

TELIK, INC., MICHAEL M. WICK, CYNTHIA M.
BUTITTA, UBS SECURITIES LLC, LEHMAN
BROTHERS HOLDINGS, INC., BEAR, STEARNS &
CO., INC., NEEDHAM & COMPANY, INC., LAZARD
FRERES & CO. LLC, FORTIS SECURITIES, INC. and
J.P. MORGAN SECURITIES, INC

Defendants.

) Civil No. 1:07-CV-04819-CM

)

) CLASS ACTION

)

) ELECTRONICALLY FILED

)

)

)

)

)

)

)

)

)

)

)

KEVIN HENNESSY, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

TELIK, INC., MICHAEL M. WICK, CYNTHIA
M. BUTITTA, UBS SECURITIES LLC, LEHMAN
BROTHERS HOLDINGS, INC. and J.P. MORGAN
SECURITIES, INC.

Defendants.

) Civil No. 1:07-CV-5707-CM

)

) CLASS ACTION

)

)

)

)

)

)

)

)

)

)

)

**NOTICE OF WITHDRAWAL OF MOTION OF
ERSTE-SPARINVEST KAPITALANLAGEGESELLSCHAFT
M.B.H. FOR CONSOLIDATION, APPOINTMENT AS LEAD
PLAINTIFF, AND APPROVAL OF ITS SELECTION OF COUNSEL**

PLEASE TAKE NOTICE that institutional investor Erste-Sparinvest

Kapitalanlagegesellschaft m.b.H. ("Erste-Sparinvest") hereby withdraws its Motion for

Consolidation, Appointment as Lead Plaintiff, and Approval of Its Selection of Counsel, filed with this Court on August 6, 2007.

Respectfully submitted this 17th day of August, 2007.

s/ Daniel P. Chiplock
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
Steven E. Fineman, Esq. (SF – 8481)
Daniel P. Chiplock, Esq. (DC – 1137)
780 Third Avenue, 48th Floor
New York, New York 10017-2024
Tel: 212-355-9500
Fax: 212-355-9592

MOTLEY RICE LLC
Lauren S. Antonino, Esq.
James M. Evangelista, Esq. (JE – 1246)
600 West Peachtree Street, Suite 800
Atlanta, Georgia 30308
Tel: 404-201-6900
Fax: 404-201-6959

MOTLEY RICE LLC
Joseph F. Rice, Esq.
Ann K. Ritter, Esq.
James M. Hughes, Esq.
P. O. Box 1792 (29465)
28 Bridgeside Boulevard
Mount Pleasant, South Carolina 29464
Tel: 843-216-9000
Fax: 843-216-9450

Counsel for Erste-Sparinvest